

No 4408 Equity

of any real estate situated in Frederick County? If yes, describe, set out at papers shown or marked Exhibits Nos. 1, 2, 3, 4, 5, 6, 7, 8 and 9, and state whether or not said Exhibits describe accurately said real estate
 6 Is or is not said real estate susceptible of division among the parties entitled to the same, without loss or injury to the said parties? State fully your reasons for the opinion you entertain on this subject.
 7 Would it or would it not be to the advantage and benefit of all the parties interested, especially the infants interested, that said real estate should be sold and the proceeds divided among said parties in proportion to their respective rights? State fully your reasons for the opinion you entertain on this subject

G. W. S. Leary,
Solicitor for Complainants

At the execution of the annexed commission issued out of the Circuit Court for Frederick County, sitting as a Court of Equity and directed to Wm. B. Nelson and John E. R. Wood and empowering them or either of them to examine evidence in a cause depending in the said Court between Joseph J. Fox and wife and others as Complainants and George Harbaugh and wife and others as Defendants. I John E. R. Wood one of the Commissioners named in the said Commission having met at my office in Frederick City, State of Maryland on Thursday the first day of May A. D. 1879, pursuant to previous notice thereof given, did then and there proceed to take the following depositions and evidence

The Complainants filed with the Commissioners as Evidence Exhibits Nos. 1, 2, 3, 4, 5, 6, 7, 8 and 9, and Exhibit H. M. and G. P. & C.

The Commissioners then proceed to take the following deposition, to wit:
Daniel Brown a witness of lawful age produced on the part of the Complainant being duly sworn and examined to Interrogatories filed with the Commissioner by the Complainants and hereunto returned deposes and says

Testimony of
Dan^r Brown.

To 1st Int. - I know all the parties to this suit, and have known them for some time.

To 2^d Int. - I knew George P. Fox well He is dead. He died at his residence in Frederick County Maryland on April A. D. 1871

To 3^d Int. - He did not leave a wife surviving him. His wife died before he died.

To 4th Int. - Jacob P. Fox left children surviving him at the time of his death as follows. He left a son George H. Fox who is married and the name of whose wife is Elizabeth Fox They are over twenty one years of age and reside in Frederick County State of Maryland. He left a daughter Margaret E. now the wife of John M. Brown, they are adults and reside in Washington County State of Maryland. He left a daughter Catharine S. now the wife of John O. Hay, they are adults and reside in Frederick County State of Maryland. He left a daughter Marotta, now the wife of George Harbaugh they are adults and reside in Washington County, Maryland He left a son Joseph J. Fox who is married and the name of whose wife is Seraphine Fox are adults and live in Frederick County State of Maryland. He left a son John P. Fox married and the name of whose wife is Cordeira A. Fox.

Testimony
of
Dan Brown